The Cochin Fisheries Act (Amendment) Bill*

Mr. K. Achyuta Menon *(Diwan Peishkar):* I move that the Cochin Fisheries Act (Amendment) Bill be taken up and finally passed.

Mr. K. P. Kannan Nayar *(Secretary to Government):* I second it.

Motion put and carried

The Cochin Town Councils Bill

Dr. A. R. Menon *(Minister for Rural Development):* I beg to present the Select Committee Report on the Cochin Town Councils Bill and move that the Bill as amended by the Select Committee be taken into consideration.

The Bill was submitted to a Select Committee consisting of Members of this House and only very minor alterations have been effected in the original Bill. I have nothing to say except that no radical changes have been effected by the Committee.

Mr. K. P. Kannan Nayar *(Secretary to Government):* I second it.

Mr. T. V. Subramania Ayyar *(Nemmara):* I rise to oppose the motion for consideration of the Bill. In doing so, I beg leave of the House to state shortly the reasons which have prompted me to oppose this motion. One of the main considerations which will affect the decision of this House with regard to this particular Bill is the necessity for such a legislation and the advisability of introducing such a measure to meet the demand of the public or the demand of the public for the better administration of these areas. A case has to be made out by the Hon'ble Minister in order to show that such a Bill is a matter of importance and that it is absolutely necessary for the betterment of the people inhabiting those areas which are contemplated to be declared as Town Councils. My first point with regard to the Bill in opposing it is that there is no necessity to cast a burden of additional taxation on those people who live in those localities, which will be hereafter declared as Town Councils. An attempt has been made during the discussion of this measure at the introduction stage that it is actuated with a view to give more money to the villages and also to prevent the expenditure of money in towns from the taxes collected from these villages. There would have been some force in the argument, if there has been, or there is, lack of money in the hands of the Government. Thanks to the various circumstances, the finances of Cochin are

* Vide Appendix II

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enviable. There is a surplus budget, and as at present calculated, there is no likelihood of the financial position of the State going down to the extent that additional taxation will be necessary. Whatever it is, taking the present circumstances into consideration, now that we have a surplus budget, there is enough money in the Government treasury for the purpose of spending on the villages. And if it is possible to conserve the money properly, it is quite possible that all the amenities required for the villages can be met by additional allotment from the treasury for these purposes.

If the complaint of the Hon'ble Minister is that in spite of his demand no money is forthcoming for the purpose of the villages for which he wants to spend it, I can quite follow him in bringing such a measure and say that "I am not able to get money from the reserved half, so let us tax the people and do some good to them." But it is a feature of the administration here now; and from the declarations from time to time by the present head of the administration, there is clearly shown a tendency on behalf of the reserved half to place enough monies at the disposal of the transferred half so that they need not delay the introduction of any reforms which would bring into effect a better condition in the villages. If that be so, and I take it that it is so, then there is no difficulty either for the Hon'ble Minister to get enough funds from the reserved half. I do not understand why he should not take that money and do all that he intends to do instead of taxing the villagers. I fail to see the reasonableness or the expediency of taxing when there is enough money at hand which is available for the mere asking. If that is not the position it is the duty of the Hon'ble Minister to point out that he is not able to get sufficient money and that he has no other resort but to resort to additional taxation. My first point is that there is no necessity to cause an additional burden by taxation on those villagers. Even at present the administration by the Panchayat Department and the Public Health Department has made it possible to maintain a certain amount of cleanliness and the sanitary conservancy is carried on more or less thoroughly and that being the case I fail to see why those people who do not want such an institution should be burdened with an institution and they be empowered to tax themselves without any direct aid from the Government.

Another point which I want to raise is that there is at present enough provision in the Municipal Act itself to constitute minor Municipalities or any other body which can be instituted in the villages, and under the Government of Cochin Act, if the Government is anxious that more departments are to be transferred to the Minister so that the powers of the Minister may be increased, there

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is ample provision in the Municipal Act itself by which what is proposed to be constituted by the present Act can be constituted by the Municipal Act itself. As one looking from the local point of view I fail to see why such a lengthy Bill should be pushed through when there are sufficient provisions in the existing Act and the statute book. Again a serious attempt is made to say that the opposition to the Bill will be an opposition to the democratic principles themselves, and if I remember right in the able and eloquent speech of the Hon'ble Member for Mulankunnathukavu and in the speech of the Hon'ble Minister himself, they have expressed great concern and surprise that some quarters that are known to be democratic should take objection to the provision of the Bill which acco ding to them go to enhance the powers of the representatives of the people in those localities, which will be termed as town councils hereafter. What I wish to say is, I have known instances where in spite of clamour and agitation representative institutions have been denied. The fight between autocracy and democracy has been constant and in spite of them reforms are denied elsewhere. But I have never seen the spectacle of the Government itself conferring powers on local bodies when they themselves do not want them. If the willingness is not there for the working of these institutions, if the people of a particular locality do not want the confirment of the benefit of additional reforms, and when they refuse to tax themselves, I do not know how it is possible to impose on them an institution which they themselves do not want. I want to make this position clear, because if the villagers themselves do not want the benefit of town councils coupled with the provision that they must tax themselves and that they must do all the work which is performed by the transferred departments and when there is a consciousness on their part that the little money that they may be able to collect by means of additional taxation will not be enough to meet their requirements, I fail to see why an institution must be thrust upon them coupled with powers of taxation. Again I wish to know, with all respect why should we, the people's representatives who are here in office be responsible for the introduction of a measure which would involve additional taxation. If it is absolutely necessary, if there is no money, I can surely understand the Minister coming forward with such a measure, saying that he is helpless as there is no money and that he must tax the people. Why should we, who administer the transferred half, be ourselves responsible for the introduction of a measure which will impose additional taxation and which would raise a hue and cry in the country? When in every one of the cut motions on income-tax and land-tax by the non-official members the non-official members join together and the Diwan Peishkar finds it very hard to

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meet their arguments and when such cut motions are carried, on what principle do you send such cut motions except on the principle that the people are poor, that they are not economically strong enough to bear this burden. On this same principle why should the Minister who is the elected representative of the people and who is responsible for the administration of the transferred departments in the name of the people be a party for the imposition of a measure for additional taxation? I submit with all the force that I can command that this move of the Hon'ble Minister of being a party to the introduction of a measure which will involve additional burden on the poor villagers is not consistent with the position which the non-official members usually take whenever a taxation measure is proposed by the reserved half. If more money is needed, let the reserved half come with a measure and let them take the odium. Why should we be a party to this measure especially when there is enough money. Money is there, the willingness to give is there, it has been declared and made known to the other party; but the other party refuses to take the money and give it to the villagers, but says "I am here with a Bill, so that I may tax you and you must be able to have whatever you want and I am not going to give you any more money. So confine yourself within the strict limits of your powers and tax yourself, and either improve yourself or damn yourself." Such a position is inconsistent with the position that has been consistently taken up by the non-official members, who have been crying hoarse about the burden of taxation and have been saying that we are unable to bear the burden of taxation. Therefore we are unable to be a party to a measure which would impose additional burden to the villagers. When we say that we are taxed heavily and the poor villager cannot bear any more burden of taxation, how can we be a party to this measure. Villages like Nemmara, Trippunittura, etc., which are mainly inhabited by agriculturists already pay land-tax and very often that is all that they can get from the lands. We say that the land-tax is heavy and we cry for some relief measures. At the same time we see the Minister bringing in a measure for extra taxation on the villagers whom he wants to protect against taxation, and when there is enough money and there is the willingness to give. I submit for all these grounds and others which I would be mentioning when the amendments are moved, I say that the motion for consideration may be opposed by the House while agreeing with me in saying that the Bill is not a necessity.

Mr. P. Govinda Menon *(Mulakunnathukavu):* I am surprised at the speech made by the Hon'ble leader of the opposition in opposing a Bill which has been referred to a select committee with the consent of a large majority of the House.

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Mr. K. R.. Viswambharan *(Ezhuvas-Talappalli)*: Not the elected majority.

Mr. P. Govinda Menon *(Mulakunnathukavu):* If the elected majority is looked into, you will see that a large majority supported the reference of this Bill to the select committee.

Mr. C. V. Iyyu *(Kunnamkulam):* A good many were neutral.

Mr. P. Govinda Menon *(Mulakunnathukavu):* I do not generally attach much weight to these neutrals.

Mr. T. V. Subramania Ayyar *(Nemmara):* The Ministry resigned in France on that account.

* **Mr. P. Govinda Menon** *(Mulakunnathukavu):* I was surprised at the trend of the speech of the learned member. The several grounds on which he wanted to oppose the Bill will not stand scrutiny for a moment. He was referring to the policy of taxing the villagers. This is not a measure intended to tax the villagers. *(Hear, hear).* This is a Bill intended to constitute places which are really towns into town councils, places which are thickly populated, places which have not been constituted into municipalities. Compact areas where large numbers of people reside are to be constituted into town councils and when my friend wanted to raise the bogey of villagers being taxed, he wanted to side-track the discussion. I want at once to point out that this is not a measure intended to tax the villagers. It is a measure intended to protect the villagers from the large amounts of money consumed by places which are like towns, but which in the guise of villages rob the villages from the legitimate amounts which is their due. My hon'ble friend stated that our budget is a surplus budget that there is no paucity of funds, and when there is no paucity of funds why should we bring in a Bill which contains provisions for taxation. If there is a surplus budget, is it any reason why money should be granted out of central revenues for local needs? Is it any reason why money should be granted to certain places only when other places require large amounts of money for satisfying local needs? I am sure Rs. 10,000 or Rs. 20,000 will not be sufficient to meet the needs of these localities. Why should our Government spend the money from the general revenues for the needs of these particular localities. I can understand money being spent for the purpose of the generality of the people but to spend money out of the general revenues for the purpose of particular areas is a matter which no true representative of the people can countenance without protest. That is why

* Speech not corrected by the hon'ble member.

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this Bill has been introduced by the popular Minister. It is also wrong to say that it is a Bill intended to tax the people. It is a Bill intended to confer more and more representative government to the people. My Hon'ble friend was stating that when after much clamour representative institutions are not being granted to the people why should they be thrust upon them. It is a case where a democratic government is thrusting representative government on people. This is a case of democracy begetting democracy. The Minister, who is the representative of democracy, is bringing in a measure in order that there may be greater democracy among the people, and I am surprised that my hon'ble friend should object to more and more representative institutions with the people. Then my hon'ble friend wanted to raise the question of competition between the reserved and the transferred half. After all, when questions regarding the welfare of the people are concerned, if a person wants to raise the question of quarrel between the reserved and transferred half, I can only state that he is not seeking the welfare of the country. In such cases the reserved and transferred halves are the same. It is not a case of my robbing you for meeting my needs. If there is money in the reserved half, the transferred half will certainly fight for funds to be utilised for the welfare of the people. But to get money from the reserved half in order to distribute it to a few areas in the State, that is a matter for which the transferred half will not fight and if the policy of the Government which the leader of the opposition has in view is such, woe unto the day when my Hon'ble friend will have the reins of office. There is no question of rivalry between the reserved and the transferred half. That is a state of things which no true representative of the people should countenance.

Mr. T. V. Subramania Ayyar *(Nemmara):* You are completely mis-interpreting what I said.

Mr. P. Govinda Menon *(Mulakunnathukavu):* That is your profession. Again I wish to remind my Hon'ble friend about a certain fact. He was again raising the bogey of additional taxation. I must at once categorically tell him that it is a matter with which he will not frighten any one of us. Again the doughty Secretary of the leader of the opposition and his follower Mr. Krishnankutty....

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* I am not a follower of anybody.

Mr. P. Govinda Menon *(Mulakunnathukavu):* I must then congratulate him.

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Mr. T. V. Subramania Ayyar *(Nemmara):* He cannot follow your arguments.

Mr. P. Govinda Menon *(Mulakunnathukavu):* Then I must sympathise with him. These two gentlemen had occasion the other day, in the Education Advisory Committee to write a very strong note. In that note they were stating that for the advancement of elementary education in our State and for the giving of more and more aid to the aided schools it appears additional taxation is necessary and they will even advocate the levy of an education cess as a last resort. If these gentlemen can say plainly and boldly and, I say, correctly that an additional taxation should be levied for such purposes, I cannot understand how an additional taxation in certain places in order to give certain amenities to the people of those localities is in any way objectionable. It is not a case of a general taxation in order to benefit particular villages. It is a case of taxation left to the entire control, to the free decision of the representative of the people of a particular locality, for the advancement or the betterment of the local needs of a particular locality. I cannot understand how this is objectionable. It is only a case of the age-long opposition to additional taxation. Nothing more. A true representative of the people should not encourage this popular superstitious objection to additional taxation, but must boldly stand for additional taxation whenever and wherever necessary. I am positive that my Hon'ble friend was doing a dis-service to the villagers and rural population of the country when he was opposing this measure. This is a measure which is fraught with great possibilities for the betterment of our people. More and more representative institutions is the order of the day and I cannot understand how people who are clamouring for more and more self-government can oppose such a measure. I assert once again as I had occasion at an earlier stage that he who opposes this measure is really opposing the advancement of democracy or representative institutions in our country. We ought to fight for more and more power in local institutions. I remember that in the last Legislative Council Government introduced a Bill to give powers of taxation to the Panchayats. That Bill was rejected by this Council not on the ground that powers of taxation were sought to be given to the Panchayats but on the ground that so long as these Panchayats are not given additional powers and so long as they are not made really self-governing institutions, we would not vote for the grant of the power of additional taxation. You can refer to the discussion that took place at the time of the introduction of the Bill and you will find that this alone was the ground on which that measure was opposed. After 2 or 3 years, this Council took courage into both hands and proposed to give additional powers of

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taxation to the villagers. I fail to understand how we can now say that even in towns administrative institutions cannot be given free and unfettered control, uncontrolled by the Central Government, to raise taxation for the local needs of the towns.

Mr. T. V. Subramania Ayyar *(Nemmara):* You plead estoppel?

Mr. P. Govinda Menon *(Mulakunnathukavu):* I plead commonsense. I can only say that according to the provisions of this Bill, those urban areas which were satisfied with the small doles from the Panchayat Department will have to tax themselves to meet their local needs. If you cannot countenance such a state of things, you can oppose this Bill. If you can, under the cover of the fear of additional taxation, oppose this Bill, then you are opposing the grant of better amenities for the urban people. If you are for more and more representative institutions for the people, and if you are for allowing more and more benefits to the really rural population of the State, then I am sure none of you with any amount of reason would oppose this Bill. Therefore I submit that this Bill as amended by the select committee may be taken up and considered.

The House rose for lunch at 1 p.m. and reassembled at 2-30 p.m. with the Deputy President in the Chair

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* It was not originally my intention to intervene in this debate; but unfortunately or otherwise the member for Mulankunnathukavu made a passing remark on a remark which we made in the minutes of the Education Advisory Committee. I hope that the hon'ble member made the remark not with due regard to the relevancy but probably due to the utter scarcity of argument that he felt to support this position which he took and I hope the House will agree with me in this respect also. So much for the minutes in the Education Committee. I do not propose to explain my minutes regarding taxation for the purpose of advancement of primary education, because it is not quite relevant to the issue. With regard to the Bill proper, I think the hon'ble member's prime argument was that he was supporting the Bill for the advancement of the cause of democracy. If that is so, the reply to the hon'ble member is that my ardour or zeal or support for the cause of democracy is not less great than his. In all these matters either in supporting or opposing it is all done in the case of democracy. With regard to the argument that the Bill advances democracy there is a great fallacy underlying it. The evil sought to be suppressed by the Bill is that amounts collected from the villagers have been hitherto spent in certain localities which are more or less towns

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and that hereafter these towns will be constituted into town councils and taxes will be raised for the purpose of being spent in that locality for the purpose of meeting the several amenities of the people inhabiting in the area. Let us see whether the new taxes will in any way meet the demands of the localities. The concrete example is the constitution of a Municipality at Irinjalakkuda. It is an object lesson before the House. Though taxes have been raised, even though tolls have been levied, the Municipality finds it difficult to make both ends meet. This difficulty will be greater with regard to areas which are now sought to be constituted into towns. Taxes raised under the various heads will be hardly sufficient to meet the establishment charges of the town councils. For developing the municipal amenities of the area funds will have to be met from the general revenues of the State, so that the position is the same after the passing of the Act and before it. There will be absolutely no use of raising new taxes. The burden of taxation will be increased without any proportionate benefit. My humble submission is even after raising particular taxes these villages will have to pay to keep up the town councils unless a condition is established that the new town councils will be self-sufficient for their own purposes. May I ask this House whether this principle of democracy is to tax the people or to spend at their sweet will and pleasure? You are going to tax all the people. You will again be giving that money to these town councils to be spent as they please. Amounts raised and expended from the general revenues will be spent by certain town councils. I submit that that is not the symptom of democracy, to allow people to spend money which we have raised from certain other people. I submit that to support such a measure in the name of democracy is nothing less than the devil quoting the scripture. You think that if you do it in the name of democracy, people will be behind you. That is the argument of the hon'ble member for Mulakunnathukavu. We are not in any way moved by his arguments which are not really arguments at all *(Hear, hear)*.

മിസ്റ്റർ സി. വി. ഇയ്യു : മിസ്റ്റർ പ്രസിഡണ്ടു്, സർ, ഈ ബില്ലിനെ ഞാൻ എതുക്കുന്നതിനു് പ്രോഗ്രസീവ്കക്ഷിയുടെ നേതാവു് പറഞ്ഞ ന്യായങ്ങളോടുകൂടി അനുകൂലിക്കുന്നു. ഈ ബില്ലിനെ ഞാൻ എതുക്കുന്നതിനു് ആരംഭിക്കുന്നതു് ടൌൺകൌൺസിൽ കുന്ദംകുളത്തു വരും എന്നുള്ള കാരണംകൊണ്ടാണെന്നു് നിങ്ങൾ തെറ്റിദ്ധരിക്കരുതു്. കുന്ദംകുളത്തു് ടൌൺകൌൺസിൽ ഉണ്ടായാൽ ബഹുമാനപ്പെട്ട മന്ത്രി എന്നെ ചെയർമാനായി നോമിനേറു ചെയ്യുമെന്നു പറഞ്ഞിട്ടുണ്ടു്. അങ്ങിനെ പ്രസിഡണ്ടായി എന്നെ നോമിനേറു ചെയ്യുമെന്നു പറഞ്ഞിട്ടുള്ള ഈ ബില്ലിനെ ഞാൻ എതുക്കുകയാണെങ്കിൽ എനിക്കു് ഒരു പ്രസിഡണ്ടുസ്ഥാനം നഷ്ടപ്പെടുകയാണു് ചെയ്യുന്നതു്. ഞാൻ അതൊക്കെ സഹിച്ചു് വിലിയ ത്യാഗത്തോടുകൂടിയാണു് ടൌൺകൌൺസിൽ ബില്ലിനെ എതുക്കുന്നതു്.

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ഡോക്ടർ എ. ആർ. മേനോൻ : അങ്ങിനെ ചെയ്യുമെന്നു് വിശ്വസിച്ചു കൊണ്ടാണൊ ഇരിക്കുന്നതു് ?

മിസ്റ്റർ സി. വി. ഇയ്യു : അങ്ങിനെ ചെയ്യുകയില്ല എന്നു എനിക്കു് പൂർണ്ണബോദ്ധ്യമാണു്. എന്നാൽ ഫ്രഫർ മകരം ൨൪-ാംനു-ത്തെ കൌൺസിലിൽ വെച്ചുതന്നെ ബഹുമാനപ്പെട്ട മന്ത്രി നേരിട്ട വാശ്വത്തം ചെയ്തിട്ടുണ്ടു്. സാധാരണയായി ബഹുമാനപ്പെട്ട മന്ത്രിക്കു് കൌൺസിലിന്റെ അകത്തും പുറത്തും വെച്ചു പറഞ്ഞ വാക്കുകൾ നിവൃത്തിപ്പാൻ സാദ്ധ്യമല്ലാതെവരുന്ന പതിവു് ഞാൻ നല്ലവണ്ണം ഗ്രഹിച്ചിട്ടുണ്ടു്. കുന്നംകുളത്തെ ജനങ്ങൾക്കു വേണ്ടി ഗവമ്മെണ്ടു് വളരെയധികം പണം ചിലവാക്കുന്നുണ്ടു് എന്നൊരു തെറ്റിദ്ധാരണ ഈ സഭയിലെ മെമ്പർമാർക്കുണ്ടു്; അതു വാസ്തവമല്ല. കഴിഞ്ഞ വൃശ്ചികം സെഷനിൽ ഈ ബിൽ ആലോചനക്കെടുത്തപ്പോൾ, ഫ ഠ കൊല്ലത്തെ കണക്കെടുത്തുനോക്കുന്നതായാൽ ഇത്ര വലിയ ജനസംഖ്യയുള്ള അവിടെ, ഒരു നല്ല പഞ്ചായത്തുത്തിയിലുള്ള വില്ലേജിൽ ചിലവു ചെയ്യുന്ന സംഖ്യപോലും ചിലവു ചെയ്യുന്നില്ലെന്നു പറഞ്ഞിട്ടുണ്ടു്. അതു വാസ്തവവുമാണു്. ഹെൽത്തു് ഡിപ്പാർട്ടുമെണ്ടിന്റെ കീഴിലുള്ള റോഡുകൾ നന്നാക്കാൻ കുറെ പണം വളരെ കൊല്ലം ചിലവു ചെയ്തിട്ടുണ്ടാകാം; അവിടെ സാനിട്ടറി ജോലികൾക്കു് കുറെ പണം ചിലവാക്കീട്ടുണ്ടാവാം. എന്നല്ലാതെ മറെറന്താണു് ചെയ്തതു്. അവിടെനിന്നതന്നെ ലൈസൻസുഫീസായിട്ടും സ്ക്കാവഞ്ചിംഗ് ഫീസായിട്ടും പിരിക്കുന്നിടത്തോളം സംഖ്യ അവിടെ ചിലവു ചെയ്യുന്നില്ല. എതാണ്ടു് ഒരു പട്ടണംപോലെയുള്ള ഒരു സ്ഥലമാണു് കുന്നംകുളം. ഗവമ്മെണ്ടിന്റെ ആക്ടനുസരിച്ചു് അതു് ഒരു മൈനർ മുനിസിപ്പാലിറ്റിയാക്കണമെങ്കിൽ വലിയ നികുതി ഭാരം വരും. വടക്കാഞ്ചേരിയിലുള്ള രീതിയിൽ വളരെ നല്ല തുകകൾ ലൈസൻസുഫീസ്സായി പിരിയുന്നതായ ചന്തകളും അവിടെ ഇല്ല. അതുകൊണ്ടു് മുനിസിപ്പാലിറ്റിയൊ ടൌൺകൌൺസിലൊ നടക്കണമെങ്കിൽ വീട്ടനികുതിയും വസ്തുനികുതിയും വലിയ തോതിൽ തൊഴിൽനികുതിയും ചുമത്തിയേതീരൂ. അതാണു് ജനങ്ങൾക്കു് വലിയ നികുതിഭാരം വരുമെന്നു ഞാൻ പറഞ്ഞതു". ഞാൻ ഇതിനെ എതിർക്കുന്നതു" പൊതുവെയുള്ള അതിന്റെ ദോഷവശങ്ങളെ വെച്ചുകൊണ്ടാണു്, കൊച്ചീരാജ്യത്തു് അയ്യായിരത്തിലധികം ജനസംഖ്യയുള്ള വില്ലേജുകൾ ൩൦-ൽ കൂടുതൽ ഉണ്ടു". ഈ വില്ലേജുകളിൽ ടാക്സു് ചെയ്യുന്ന തത്വത്തെയാണു് ഞാൻ എതിർക്കുന്നതു്".

മിസ്റ്റർ എ. ബി. സേലം : ആ നികുതി അവിടെതന്നെയല്ലെ ചിലവാക്കുന്നതു് ?

മിസ്റ്റർ സി. വി. ഇയ്യു : ബഹുമാനപ്പെട്ട തൃശ്ശൂർ ഈഴവമെമ്പർ പറഞ്ഞതുപോലെ ഒരു വില്ലേജിൽനിന്നു കിട്ടുന്ന നികുതികൊണ്ടു് ആ വില്ലേജിലെ ചിലവു് തന്നെ നടത്താൻ സാദ്ധ്യമല്ല. എറണാകുളം, മട്ടാഞ്ചേരി മുതലായ മുനിസിപ്പാലിറ്റികളിൽ പിരിയുന്നതുപോലെയുള്ള തൊഴിൽനികുതിയൊ വ്യാപാരനികുതിയൊ ഒരു ടൌൺകൌൺസിലിന്റെ അധികാരസീമയിൽ നിന്നും പിരിയുന്നതല്ല.

ഇരിങ്ങാലക്കുട മുനിസിപ്പാലിറ്റിക്കു് ഗവമ്മെണ്ടു് പട്ടണാന്തർഭാഗത്തിയിൽ ഉള്ള ചുങ്കങ്ങൾ വിട്ടുകൊടുത്തിട്ടുണ്ടു്. ടൌൺകൌൺസിൽ അധികാരാന്തർഭാഗത്തിക്കുള്ളിലുണ്ടാവുന്ന ചുങ്കത്തിൽനിന്നുള്ള വരുമാനം മുനിസിപ്പാലിറ്റിക്കുള്ളതല്ല;

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റിസർവ്വ് ഡ്ഫാഹിന്നുള്ളതാണ്. ചുങ്കമില്ലാത്ത മുനിസിപ്പാലിറ്റികൾ മന്ത്രിയുടെ കയ്യിൽ കൊടുക്കുന്നതിനുള്ള ഒരു ഏർപ്പാടിനും ഉത്തരവാദപ്പെട്ട മന്ത്രി, ജനങ്ങളുടെ മന്ത്രിയെന്നു വിചാരിക്കുന്ന മന്ത്രി, റിസർവ്വ് ഡ്ഫാഹിനു ഒരായുധമായി പരിണമിച്ചതിൽ ഞങ്ങൾക്കു അതിയായ വ്യസനമുണ്ട്. ഇപ്പോഴുള്ള മുനിസിപ്പാലിറ്റികളുടെ എല്ലാംകൂടിയുള്ള ശേഖരം മന്ത്രിയുടെ കയ്യിൽ കൊടുക്കുന്നതിനു ഞങ്ങൾ അനുകൂലികളാണ്, ബഹുമാനപ്പെട്ട മന്ത്രിയെക്കൊണ്ടു "കുട്ടിക്കുരങ്ങനെക്കൊണ്ടു ചോറു മാന്തിക്കുന്ന" ഒരു പ്രവൃത്തിയാണ് ചെയ്യിച്ചിട്ടുള്ളതു".

Dr. A. R. Menon *(Minister for Rural Development):* I object to that statement. Joking is all right, but there is a limit.

മിസ്റ്റർ സി. വി. ഇയ്യു: കുട്ടിക്കുരങ്ങിനെക്കൊണ്ടു മാന്തിക്കുന്ന ദാഹത്തിനാണ് ആക്ഷേപമുള്ളതെങ്കിൽ കുരങ്ങ് എന്ന ആ വാക്കു ഞാൻ മാറ്റുന്നു.

ഒരു പട്ടണത്തിലെ ആദായംകൊണ്ടുമാത്രം ആ പട്ടണത്തെ അഭിവൃദ്ധിപ്പെടുത്താമോ എന്നുള്ളതു ബഹുമാനപ്പെട്ട മന്ത്രിക്കു അഭിപ്രായം മുനിസിപ്പൽ ചെയർമാനായിരുന്നകാലത്തു മനസ്സിലായിട്ടുള്ളതാണ്. ഈ ബില്ലിന്റെ പ്രവർത്തനത്തിലുള്ള സാമ്പത്തികതത്വം എന്തായിരിക്കുമെന്നു കണ്ടുതന്നെ അറിയണം. അതിനുംപുറമെ ബഹുമാനപ്പെട്ട മുളകുന്നത്തുകാവു മെമ്പർ ഈ ബില്ലിനെ അനുകൂലിച്ചു സംസാരിച്ച അവസരത്തിൽ, ഇതിനെ എതിർത്ത പ്രോഗ്രസീവു പാർട്ടിയുടെ നേതാവിന്റെ അഭിപ്രായങ്ങളെ ഖണ്ഡിച്ചുകൊണ്ടു സംസാരിക്കുകയുണ്ടായി. ഞാൻ ആദായനികുതിയുടെ മേലുള്ള സുപ്പർടാക്സ് ചുമത്തുന്നതിനു ഒരു ബിൽ കൊണ്ടുവന്നപ്പോൾ അതിനെ ബഹുമാനപ്പെട്ട മുളകുന്നത്തുകാവു മെമ്പർ എതിർത്തതായ തത്വം നികുതി ചുമത്തേണ്ടതായ നിയമങ്ങൾ ഒന്നാമതായി കൊണ്ടുവരേണ്ട സമയംതന്നെ ബഡ്ജറ്റ്സെഷനിലാണ് എന്നതുകൊണ്ടായിരുന്നു.

Mr. P. Govinda Menon *(Mulakunnathukavu):* Taxation will be introduced by the council in the budget session of that council. In this Bill there is provision for taxation by the council. In the budget session of the council the council will bring taxation proposals.

മിസ്റ്റർ സി. വി. ഇയ്യു: പട്ടണങ്ങളെ ഭരിക്കുന്നതിനുവേണ്ടി യാതൊരു പുതിയ നികുതികളും ചുമത്താത്തരത്തിലുള്ള ഒരു ടൌൺകൌൺസിൽ ബില്ലാണ് ഇവിടെ കൊണ്ടുവന്നിരുന്നതു എങ്കിൽ ഞാൻ ഇതിനെ എതിർക്കയില്ലായിരുന്നു.

അതൊക്കെ തത്വത്തിന്മേലും വാക്കുകളിന്മേലും ബഹുമാനപ്പെട്ട മുളകുന്നത്തുകാവു മെമ്പർക്കു സ്ഥാപിക്കുവാൻ സാധിക്കും. ഒരു സമാമന്യനായ ഞാൻ, ഒരു വക്കീലുംകൂടിയല്ലാത്ത ഞാൻ ഇതൊരു ടാക്സേഷൻ ബില്ലായിട്ടാണ് കരുതുന്നതു. അതുപോലെതന്നെയാണ് കൊച്ചിരാജ്യത്തുള്ള ജനങ്ങളും കരുതുന്നതു. പുതിയ നികുതി ചുമത്താത്ത ഒരു ബിൽ തന്നെ ഇവിടെ അവതരിപ്പിക്കാമായിരുന്നു. അതു ചെയ്തിട്ടില്ലാത്തതുകൊണ്ടും ഓരോ പ്രിൻസിപ്പളിന്മേലും എനിക്കു ബഹുമാനപ്പെട്ട മെമ്പറുടെ അഭിപ്രായത്തോടു യോജിക്കുവാൻ നിവൃത്തിയില്ലാത്തതുകൊണ്ടും ഞാൻ ഈ ബില്ലിനെ എതിർക്കുന്നു.

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മിസ്റ്റർ ബി. എം. പീറർ: സർ, ഇപ്പോൾ ഈ ബില്ലിനെപ്പറ്റി അഭിപ്രായം പറഞ്ഞവരിൽ പലരുംതന്നെ ടൗണിൽ താമസിച്ചു്, ടൗണിൽ സഞ്ചരിച്ചു് ടൗണിന്റെ പ്രകൃതികൂടി മനസ്സിലാക്കിട്ടുള്ളവരാണെന്നാണു് കാണുന്നതു്. പക്ഷെ എന്റെ സ്ഥിതി അതിൽനിന്നു തീരെ വ്യത്യസ്ഥമായ ഒന്നാണു്. ഞാൻ ഒരു ഗ്രാമീണനാണു്. ഗ്രാമങ്ങളിൽ സഞ്ചരിച്ചു് ഗ്രാമങ്ങളിലെ പരിതസ്ഥിതികൂടി എല്ലാം പൂർണ്ണമായി മനസ്സിലാക്കി, ഞങ്ങൾ അനുഭവിച്ചുകൊണ്ടിരിക്കുന്ന കഷ്ടതകളാണു് ഇപ്പോൾ ഈ സഭയുടെ മുമ്പാകെ കൊണ്ടുവരാൻ ഞാൻ വിചാരിക്കുന്നതു്. ഗ്രാമീണരായ ഞങ്ങൾക്കു നിങ്ങൾ വലിയ ആനുകൂല്യങ്ങൾ ചെയ്യണമെന്നോ, വലിയ സഹായങ്ങൾ ചെയ്യണമെന്നോ ഞാൻ അഭ്യർത്ഥിക്കുന്നില്ല. ടൗൺവാസികളനുഭവിക്കുന്ന അവകാശങ്ങൾക്കു് ഞങ്ങൾ ആശവെക്കുന്നില്ല. ഞങ്ങൾക്കു റേഡിയോ വേണ്ട, ഞങ്ങൾക്കു എലക്ട്രിസിറ്റി വേണ്ട, ഞങ്ങൾക്കു പാർക്കു വേണ്ട. പക്ഷെ ഏറ്റവും മിതമായ ഒരത്യാവശ്യം നിങ്ങൾ സാധിച്ചുതരണമെന്നാണു് ഞങ്ങളുടെ ഏറ്റവും വിനീതമായ അപേക്ഷ. അതായതു് ഞങ്ങൾക്കു് നടക്കാൻ വഴി വേണം, കുടിക്കാൻ വെള്ളം വേണം. ഈ രണ്ടു സംഗതികളും നിങ്ങൾ സാധിച്ചുതന്നാൽ ഞങ്ങൾ കൃതാർത്ഥരാണു്. ഇതാണു് ഞങ്ങളുടെ ഏറ്റവും വിനീതമായ, ഏറ്റവും മിതമായ അപേക്ഷ. ഞങ്ങൾക്കു് പണമില്ല. കൃഷിക്കാരാണു്. അവിടെ താമസിക്കുന്ന കൃഷിക്കാരായ മിക്കവരും ഇപ്പോൾ സാമ്പത്തികാധഃപതനം കൊണ്ടു് വളരെ കഷ്ടപ്പാടുകൾ സഹിക്കേണ്ടി വന്ന ഈയവസരത്തിൽ ഇങ്ങനെയുള്ള ഒരു ബിൽ കൊണ്ടു് ഗ്രാമീണരെ മർദ്ദിക്കാൻ, ഉപരിയായ ഒരു ടാക്സു ചെയ്യാൻ വിചാരിക്കുന്നുണ്ടെങ്കിൽ അതിനെ ശക്തിയായ വിധം എതിക്കാതെ നിവൃത്തിയില്ല. കൊച്ചി സംസ്ഥാനത്തെ വളരെ ചുരുങ്ങിയ ഗ്രാമങ്ങളെ മാത്രമെ ഈ ബിൽ ബാധിക്കാതിരിക്കയുള്ളൂ. കുന്നുകളുടെ സംബന്ധിച്ചിടത്തോളം അതിനെ ഒരു ടൗണായി ഗ്രാപഞ്ചായത്തുകളാക്കിയിരിക്കുന്നു. അങ്ങിനെ ഒന്നുരണ്ടു വില്ലേജുകൾക്കു് ഇതുകൊണ്ടു് ഗുണമുണ്ടാകാം. എന്നു വിചാരിച്ചു ഈ രാജ്യത്തെ സാവ്വത്രികമായി ബാധിക്കത്തക്കവിധം ഈ ബിൽ പാസ്സാക്കണമെന്നു പറയുന്നതു ശരിയല്ല. അങ്ങിനെ ചുരുക്കം ചില വില്ലേജുകളെ ആസ്പദമാക്കിയാണു ഈ ബില്ല കൊണ്ടുവരപ്പെട്ടതെങ്കിൽ സ്വാതന്ത്ര്യത്തോടു പെരുമാറത്തക്ക തരത്തിൽ മൻസിപ്പൽ ആക്ടു് ബഹുമാനപ്പെട്ട ശവമ്മെണ്ടിന്റെ കയ്യിൽ ഉണ്ടു്. ഈ രാജ്യത്തിലെ വില്ലേജുകളെപ്പറ്റി പൊതുവെ പറയുകയാണെങ്കിൽ, പഞ്ചായത്തുകൾക്കു കൊടുക്കുന്ന സംഖ്യ ൫,൫൫,൦൦൦ രൂപയാണു്. അതിനും പുറമെ ഒരു ലക്ഷം ഉറപ്പിക ഗ്രാമോദ്ധാരണത്തിനു വേണ്ടി നീക്കി വെച്ചിട്ടുണ്ടു്. അതു് വ൪ പഞ്ചായത്തുകൾക്കായി വീതിച്ചാൽ ഉദ്ദേശം നാലായിരം രൂപയോളം ഓരോ പഞ്ചായത്തിനു ചിലവഴിക്കാൻ കിട്ടും. ഈ നാലായിരം രൂപാ ഓരോ പഞ്ചായത്തുകളിലും ചിലവാക്കിയാൽ അവരുടെ ആവശ്യങ്ങൾ ഒരു മാതിരി സാധിക്കുന്നതാണു്. എന്നാൽ ഇങ്ങിനെ ഒരു ബിൽ കൊണ്ടുവരുന്നതിനു മുമ്പായി, ബഹുമാനപ്പെട്ട മന്ത്രിയുടെ അധീനത്തിൽ വെച്ചിരിക്കുന്ന സംഖ്യയെപ്പറ്റി ആലോചിച്ചു് ഏതെങ്കിലും ഒരു പരിപാടി കണ്ടുപിടിച്ചു വേണ്ട തരത്തിൽ വിനിയോഗിച്ച ശേഷം ആണു് ഇങ്ങനെ ഒരു സാഹസത്തിനു പുറപ്പെട്ടിരുന്നതെങ്കിൽ തീർച്ചയായും ഞാൻ അതിനെ സ്വാഗതം ചെയ്യുമായിരുന്നു. എന്നാൽ ഇങ്ങിനെയുള്ള ഒരു ടൗൺകൌൺസിൽ ബില്ലിന്റെ ആവശ്യമേ ഇല്ലെന്നാണു് ഗ്രാമീണരിൽ ഒരുവനായ ഞാൻ വിനീതമായി അപേക്ഷിക്കുന്നതു്.

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മിസ്റ്റർ പനമ്പിള്ളി ഗോവിന്ദമേനോൻ പറയുകയുണ്ടായി, കൂടുതൽ ജനസംഖ്യയുള്ള വില്ലേജുകളെ ടൌണായി രൂപാന്തരപ്പെടുത്തി അതിൽ നിന്നും മിച്ചം കിട്ടുന്ന പണം കൊണ്ട് ബാക്കിയുള്ള വില്ലേജുകളെ രക്ഷിക്കാൻ ഉപയോഗിക്കാമെന്ന്. ഇന്ന് നമ്മുടെ ബഹുമാനപ്പെട്ട മന്ത്രിയുടെ കയ്യിൽ തന്നെയിരിക്കുന്ന സംഖ്യയെ സംബന്ധിച്ചുള്ള ബഡ്ജറ്റുപോലും ഉണ്ടാക്കുന്നതിനും അതിനു വേണ്ടത്ര പണം റിസേർവ്ഡ് ഫാഫിൽ നിന്നും ലഭിച്ചുകൊള്ളുമെന്നും ഇന്ന യാതൊരുറപ്പും കിട്ടിയിട്ടില്ലാത്ത സ്ഥിതിക്ക് ഇതിൽ നിന്നും അധികം കിട്ടുന്ന പണം ബാക്കിയുള്ള വില്ലേജുകൾക്കു കൊടുക്കാൻ സാധിക്കുന്നതെങ്ങിനെയാണ്? ഇതിൽ നിന്നും അധികം കിട്ടുന്ന സംഖ്യപോലും മറ്റു തരത്തിൽ വിനിയോഗിക്കാനുള്ള അധികാരം ബഹുമാനപ്പെട്ട മന്ത്രിക്ക് ഇന്നില്ല. ഗവമ്മെണ്ടിൽ നിന്നും ൨,൪൫,൦൦൦ രൂപാ പഞ്ചായത്തുകൾക്കായി കൊടുത്തിട്ടുണ്ട്. പക്ഷെ അതിൽ ഒന്നു കൂട്ടാനൊ കുറക്കാനൊ ഉള്ള അധികാരം ബഹുമാനപ്പെട്ട മന്ത്രിക്കുണ്ടൊ? അങ്ങിനെയിരിക്കുന്ന കാലത്തോളം മിസ്റ്റർ ഗോവിന്ദമേനോന്റെ അഭിപ്രായം ഇവിടെ എത്ര മാത്രം ശരിയാണെന്നാണ് എന്റെ ചോദ്യം. ചില ഗ്രാമങ്ങളിൽ നിന്നുണ്ടാക്കുന്ന പണം മറ്റു ഗ്രാമങ്ങൾക്കു കൊടുക്കാൻ സാധിക്കാത്ത സ്ഥിതിക്കു ഇങ്ങിനെയുള്ള ഒരു ബില്ലുകൊണ്ടെന്താണ് പ്രയോജനം? ആയതുകൊണ്ട് അവിടേക്കു കിട്ടുന്ന സംഖ്യ കൊണ്ട് അതിനു വേണ്ട ഒരു പദ്ധതിയുണ്ടാക്കിതീർത്താൽ മതി. അല്ലാതെ ഗ്രാമീണരെ രക്ഷിക്കാൻ വേണ്ടിയാണെന്നു പറഞ്ഞു ടാക്സ് ചെയ്യാനുള്ള ഒരു ബില്ലുണ്ടാക്കുന്നതു ശരിയല്ല. അങ്ങിനെയുള്ള ഒരു ബില്ലിനെ ഞാൻ എതിർക്കുന്നു.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri)*: I wish to offer a few remarks on the Bill presented by the Hon'ble Minister. I have heard arguments from the other side, from the Leader of the Opposition followed by his colleagues, arguments based on the question that this will impose a burden on the villagers. My submission is that the question has not been viewed from a correct standpoint. The arguments hitherto advanced seem to show that the object of this legislation is to impose a taxation and thereby to penalise a particular locality. The primary object of this Bill, it would seem, has been misunderstood to be the imposition of a tax. The question is what is the objection to this legislation. The preamble shows that this legislation is intended to give better administration to certain localities to be constituted as towns, so that the object is to see that certain places which have now advanced to the position of towns have to be viewed distinctly from the rural parts. The conditions of certain localities are in the position of towns, especially, in matters of sanitation, communication, etc. and all these matters will have to be better looked into and better provision made for the administration of those local areas. For that purpose Government is given the power to constitute certain localities which have now grown into towns, or certain other places when grouped together may form towns. In such places, the administration can be effected only by giving administrative powers to certain bodies constituted under the

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regulation. So that the people in that locality may take upon themselves the power of management of their own affairs in order to provide better amenities which the growing towns require in several places. I wish to illustrate this by a reference to Kunnamkulam. Nobody will dispute that it is a small town. It is thickly populated. The health conditions of those localities have to be better guarded than in ordinary villages. Drainage, water communication, all these are questions which generally arise where there is a conjestion of population. The management of these affairs can be better conducted by the people themselves who have the power to do so rather than being shared under the general administration. Further in order to carry out these objects funds are required. In order that they may enjoy better amenities they have to share the expenses themselves. Hitherto these places enjoyed larger amounts of money from the Panchayat Department exclusively for their own benefit and to the detriment of many rural parts. We always hear cries from these quarters that they may be given more money for making roads, for water supply, drainage, lighting, etc., and we find as a matter of fact that some of these places like Nemmara, Kunnamkulam and Trippunittura which are now growing into towns have been pressing always for getting larger amounts. The effect of these larger allotments to these places for giving better amenities has been that the share allotted to the villagers becomes very little, so that the people in the villages have been suffering on account of the larger amounts given to these towns. In order to prevent this practice this legislation is now sought to be imposed. Further, it is only a permissive legislation. It would seem from the arguments advanced by the other side that it is a mandatory legislation, the object of which is to impose taxation upon the people in towns. There is ample provision in this Bill which gives the Government, if it so thinks fit, to constitute town councils and to invite criticisms upon that. If there is any objection from any particular quarter and if the Government after hearing the parties think that the objections seem to be reasonable, it is for the Government to drop the application of this legislation to any such area or areas.

Mr. A. B. Salem *(Mattancheri):* Sir, I rise to a point of order under S. O. 36, 37 and 38, which say that after the presentation of the final report of the select committee on a Bill the member in charge may move that the Bill as moved by the select committee be taken into consideration. Any member may object to the Bill being taken into consideration on certain conditions. Otherwise there is no general discussion allowed on the provisions of the Bill. My point is that this discussion is not in order. Only amendments can be

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considered now. A general discussion whether the Bill is useful or not does not arise now. That stage of the discussion is over. Now the Bill as amended by the select committee is before the House. Amendments can be tabled now and members can speak on them.

Deputy President: The member has moved that the Bill be taken into consideration. The general principles can be discussed. S. O. 38 applies only after the motion is carried. Then amendments can be proposed. But now the question before the House is whether the Bill should be taken into consideration. Till that motion is put and carried members can speak on the general principles and after the motion is carried amendments may be moved.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri):* What I submit is that these principles may have some bearings to the amendments also. My point is that it is only an enabling legislation. Government is not bound to enforce it in a particular area. Government has the power to bring within the fold of this legislation those places which they think it desirable to bring. If people in a locality have got any grievance or objection to that, it can be objected to, and Government ought to hear the objections of the parties before bringing any particular area under this Bill. There is no provision that as soon as this Bill is passed, all villages which have got a population of more than 5,000 will be brought under this legislation and all the people in all the villages will be subject to a taxation. My friend Mr. Iyyu said that there are over 60 villages which have got such a population. A reading of the preamble and the section relating to the definition of town councils will show that the object is not to apply this legislation to all places irrespective of the distance of those villages where there is a population of 5,000. It applies only to places which have grown into towns and which require a better administration, so that there is no apprehension that the Bill will cause hardships to the villagers in the Cochin State. Another argument was that we have got better provision in the Municipal Act and why the provisions of that Act cannot be applied to any other place. I do not understand why that course was adopted in preference to this. The principle is whether any particular area should be brought under the town councils or Municipalities. If there is no objection to bring it under the Municipal Act, I do not see whether there can be any reasonable objection to bring it under the Town Councils Act, so that the argument that there is provision in the Municipal Act has no force. My submission is that there is not much apprehension to be entertained by persons like Mr. Iyyu and Mr. Subramania Ayyar, representatives of two prospering towns. I support the Bill.

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Mr. M. K. Devassy *(Adur):* It was not my intention at all to make a speech at this stage since most of the grounds have already been traversed at the stage of the introduction of this Bill. But when my hon'ble friend the member for Mulakunnathukavu, the present redoubtable champion of this taxation measure, sugar-coated it as a local autonomous measure, impleaded some of the members of the Education Advisory Committee also as a party to this much undesirable suit. I thought it was my duty to answer some of the grounds raised by him and if possible to press for costs. Sir, many sins are committed in the name of democracy, but one wonders how such eminent democrats as Mr. Govinda Menon and others agree to be party to these inequities. I would rather pity Abraham Lincoln. I would rather wish that that name of democracy and another enchanting name of local autonomy were not in English dictionary. The harm which this Bill would do to the public is beyond any exaggeration. As has been stated by my friend Mr. Kaimal, one of the reasons which is repeatedly urged by the supporters of the Bill in and outside this House is that the money that could be saved as a result of with holding the amounts budgetted at present for these town council areas and by compelling them to satisfy their local needs by local taxation imposed by this Bill can be utilised for the improvements of other village areas and therefore in addition to the enchanting name of democracy the name of rural development could also be dragged in. It is here that I wish to refer to the resolution of the Education Advisory Committee and point out the distinction between the education cess proposed by us and the taxation which this Bill proposes to introduce. I would make my position clear by reading a portion of the resolution which is relevant. The question that came before the Committee was that because the Government finds it impossible to allot funds to aid classes and divisions newly opened from year to year, Government requests the Committee to submit a scheme whereby these aided schools could be helped. The position was this. These classes demanded year after year, as a recurring and accumulating expenditure, a sum of 10 to 15,000 rupees. When a sum of Rs. 15,000 is given this year, next year it comes to 30,000 and the year after 45,000 and so on, over and above the amounts budgetted for education at present. The Committee asked the Government to state before the Committee what exactly is the amount which the Government proposed to place before the Committee, because the Committee thought that the preparation of any scheme which would affect the progress of education either by way of minimising the grants or reducing the number of schools would be detrimental to the progress of education and that, before taking any decision, it should be

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informed of the extent of the financial limitations of the Government. The reply was that whereas this item required 10 to 15,000 rupees a year Government was prepared to allot 5,000 rupees. When this came before the Committee it thought that it has been caught through another corner and the Committee also thought that it was its duty as a responsible body to examine the whole question and to face the problem in all its aspects. Therefore the Committee stated that it was impossible for the Education Advisory Committee to submit any scheme within the Rs. 5,000 limit without prejudice to the progress of education and that the Government in the interests of the educational progress of the State should be prepared to find money to give grant to aided schools under any circumstances. The Committee also suggested that the Standing Finance Committee can reasonably go into the question of retrenchment in the several departments, and after checking the luxuries of the several departments and effecting retrenchments wherever possible, it may be possible for the Government to find out sufficient money to spend for the educational progress of the State which the Committee thought is a greater demand. With this view the Committee pointed out this particular sentence which I shall read: "The Committee thinks that it is impossible to suggest any scheme which would be within the 5,000 rupees limit proposed by Government without serious repurcussions on the progress of education in the State. The Committee also considered the possibility of appropriating some share from the general education budget. But the fact remains that out of Rs. 19·6 lakhs nearly 17 lakhs go for salaries and establishment grants which are in the nature of an inflexible liability. Considering all these aspects the Committee thinks that in the interests of the educational progress of the State, Government have to make a better allotment for this item by a proper adjustment of the several items for the purpose of effecting retrenchment in the several departments". The Committee did not want to stop there. The Committee realised that it would be a policy of evading the issue if the Committee fought shy of the question. Therefore the Committee added the following portion also: "Since this problem is of a recurring nature the Committee would recommend the following courses for the consideration of Government. 1. A policy of handing over Government schools to private agencies. 2. A policy of following the half-time system in primary schools wherever possible, and 3. The levy of light education cess ear-marked for the purpose from well-to-do people whether guardians or not. The last proposal need be considered only after trying the first two and if it is inevitable". What exactly is the nature of the education cess and what exactly is the nature of the taxation that this

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Bill proposes to impose? My Hon'ble friend, the member for Mulakunnathukavu, was stating that those hon'ble members who could support education cess are now opposing a taxation measure which this Bill proposes. It is my intention to convince this House that the proposal for the educational cess and the proposal of taxation which this Bill embodies has been entirely on a different footing. It is my intention to point out most emphatically the words used in our resolution "that amount should be ear-marked for the purpose of education". That makes a lot of difference. It is for those who are responsible for this measure to state that the amount that can be saved by taxing these town councils ought to be utilised for the development of the rural areas. It is there, Sir, that I have to emphasise, the word "ear-marked" once again. To explain this I am referring to the argument advanced by Mr. Kaimal who stated that these amounts are to be utilised for the development of villages. That is the platform on which the villagers are going to be satisfied. The platform is, if from the constitution of a town council at Kunnamkulam, Government gains 2,000 rupees, *i.e.* supposing 2,000 rupees are spent now by Government there, and if that amount can be had by taxing the people as per the Bill, then that amount of 2,000 rupees can be utilised for rural development in other parts of the State. Therefore the Hon'ble Minister who is responsible for the rural development of the State will be doing a great service to the State by constituting Kunnamkulam into a town council and by making it self-sufficient and by utilising the amount gained thereby for the improvement of other villages. I will be the first person to support any measure which will be to the advantage of the rural areas of the State. I am one of those who are fully aware of the facts that the rural areas are not receiving proper attention. I am one of those who believe that it is one of the grave duties of the Minister to do whatever that is possible for the uplift of rural areas and it would be honouring his position if he does so. Is it open to the Hon'ble Minister to give an assurance to the House that the 2,000 rupees which he can possibly get from Kunnamkulam can be spent for rural development in the departments set apart for the Minister? Has he a right to get that amount? Is it open to the Minister to give us an assurance that the 2,000 rupees which might emanate from this Bill can be claimed by him as a matter of right from the government revenues? Certainly you are not in such a position. If my friend Mr. Salem says that the Minister can give us that assurance I regret that a member of the party in power has not closely followed one of the vital defects of the Cochin constitution. All those who had occasion to study the Cochin constitution have agreed that the very first point is that the Hon'ble Minister, a

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creature of this constitution, is at a disadvantage, is at the mercy of the reserved half as long as he has not got the control over the purse. If the Minister is to depend upon the reserved half for Rs. 5 lakhs or even 1 rupee, I ask Mr. Salem how he can give that assurance?

Mr. A. B. Salem *(Mattancheri):* I shall give an answer.

Mr. M. K. Devassy *(Adur):* I shall be thankful to you. I shall even reward you.

Dr. A. R. Menon *(Minister for Rural Development):* We are in a position to answer you. Don't be under the impression that the arguments advanced cannot be answered. When the proper time comes, I shall analyse all the arguments and meet every point. Don't be under the impression when these vainglorious statements are given no one can meet your arguments.

Mr. M. K. Devassy *(Adur):* Nor should the Minister be under the impression that if the Minister can convince me by sound arguments anything prevents me from changing my policy with regard to this Bill. I assure this House that if the Minister can give an undertaking according to the constitutional practice of the State, I assure this House again and again and I will respect his arguments and will reward it as an honest politician can reward it *viz.* by withdrawing my opposition to the Bill and supporting it. I repeat that the Hon'ble Minister under the new constitution has absolutely no right to claim a fixed proportion of the revenues of the State. I therefore say that any amount which this Bill would take from particular places and hand over to the Government is only enriching the Government without this House having any control over this amount.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri):* Suppose 50,000 rupees is allotted to the Panchayat Department and suppose 5,000 rupees is spent for Kunnamkulam. After Kunnamkulam is constituted as a town council this 5,000 will go to the original 50,000 to be spent for other places.

Mr. M. K. Devassy *(Adur):* If I have understood him correctly he says: If out of 50,000 rupees allotted for Panchayat Department, 5,000 can be saved as a result of this Bill that 5,000 would be utilised to some other villages. If I am correct I ask the hon'ble member where is the assurance that the Minister would get the 50,000 rupees next year.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri):* That is the amount allotted.

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Mr. M. K. Devassy *(Adur)*: That is for this year. This Bill is not for one year. It is to last for many years, and over the budgets of these years, the Minister has no control except for the portion of the amount allotted to him at the sweet will and pleasure of the Government. That is why I say, Sir, that you are giving to Government large amounts over which we have no control.

ADJOURNMENT MOTION

Re. the Government's decision to put off consideration of the Cochin Cultivating Verumpattamdars Bill

*മിസ്റ്റർ ടി. കെ. നായർ: മിസ്റ്റർ പ്രസിഡണ്ട് സർ, എനിക്കു ഈ വിഷയത്തെപ്പറ്റി പറയാനുള്ള സംഗതികളുടെ ചുരുക്കം കാലത്തു് പറഞ്ഞു കഴിഞ്ഞു. അപ്പോൾതന്നെ ഗവമ്മെണ്ടിൽ നിന്നു ഒരു മറുപടി തന്നിരുന്നെങ്കിൽ ഒരു ഡിസ്കഷന്റെ ആവശ്യമുണ്ടാകുമായിരുന്നില്ല. പക്ഷെ ദിവാൻ പ്രസിഡണ്ടവർകൾ ഇതിനെ സംബന്ധിച്ചു ഒരു നിവൃത്തിയുണ്ടാക്കാനായി എല്ലാവശം കൂടി ആലോചിച്ചു ഒരു പജതിയുണ്ടാക്കിത്തന്നാൽ അതിനെപ്പറ്റി ഗവമ്മെണ്ടു് ഗൌരവമായി ആലോചിക്കാമെന്നാണു് ഒടുവിൽ പറഞ്ഞതു്. അതിൽ കുറച്ചൊരു സമാധാനമുണ്ടു്; ഇതു് ഒരു അട്ടിയന്തിരപ്രമേയംതന്നെയാണെന്നു് ഗവമ്മെണ്ടു ധരിച്ചതിൽ വലിയ ഒരാശ്വാസമുണ്ടു്. ഇതുകൊണ്ടു് അതിന്റെ അനന്തരഫലമുണ്ടാവും എന്ന പ്രതീക്ഷയുമുണ്ടു്. ബില്ലിൽ ഒരു വകുപ്പു് വെച്ചിട്ടുണ്ടു്; ഫ ഫ ര് ഇടവം മുതൽ അനാവശ്യമായി ഒഴിപ്പിച്ചിട്ടുള്ള വസ്തുക്കൾ മുഴുവൻ വെറുമാട്ട കുടിയാനു് തിരിയെ കൊടുക്കണമെന്നാണു് ആ വകുപ്പു്. ഇതു് ഞാൻ എക്സ്പ്ലെയിൻ ചെയ്ത അവസരത്തിൽ തന്നെ പറഞ്ഞിട്ടുള്ളതാണു്. എങ്കിലും വളരെ ഗൌരവമായ ഈ വിഷയത്തെപ്പറ്റി ഗവമ്മെണ്ടിനെ ധരിപ്പിക്കേണ്ടതിനാണു് വീണ്ടും പറയുന്നതു്. അനുദ്യോഗസ്ഥപക്ഷത്തുനിന്നാണു് ഇങ്ങിനെയൊരു ബിൽ കൊണ്ടുവന്നിരുന്നതെങ്കിൽ അതിന്റെ സ്ഥിതി ഒന്നു വേറെയാണു്. അതുപോലെയല്ല ഉദ്യോഗസ്ഥപക്ഷത്തുനിന്നു കൊണ്ടുവരുന്ന ബിൽ. ഉദ്യോഗസ്ഥപക്ഷത്തു നിന്നു കൊണ്ടുവരുന്ന ബിൽ ഉടനെ നിയമമാകുമെന്ന വിശ്വാസം എല്ലാവക്കുമുണ്ടു്. അനുദ്യോഗസ്ഥപക്ഷത്തുനിന്നു കൊണ്ടുവരുന്ന ബില്ലിനേക്കാൾ ആയിരം ഇരട്ടി ബഹുമാനത്തോടുകൂടിയാണു് ഞങ്ങൾ ഇതിനെ വീക്ഷിക്കുന്നതു്. അങ്ങിനെയിരിക്കുമ്പോൾ ഇതു് പാസ്സാകുമെന്നുള്ളതു് തീച്ചയാണു്. അതുകൊണ്ടു ഈ ബിൽ അവതരിപ്പിച്ചതോടുകൂടി ഗവമ്മെണ്ടിനു് ജന്മികുടിയാന്മാർക്കു് ഈ കാര്യത്തിലുള്ള അഭിപ്രായമെന്താണെന്നു് മനസ്സിലാക്കുവാൻ സാധിച്ചിട്ടുണ്ടു്. ആ സ്ഥിതിക്കു് നിങ്ങൾ ഇതു നീട്ടിവെച്ചാൽ ഇതിനു് എന്തെങ്കിലും ഉണ്ടാകാതിരിക്കുകയില്ലെന്നുള്ള സംഗതി ജന്മികൾ മുഴുവൻ ധരിക്കാൻ ഇടവന്നിട്ടുണ്ടു്. കുടിയാന്മാർക്കു ധരിക്കാൻ ഇടയായിട്ടില്ല. അതുകൊണ്ടു ഈ ബിൽ വരുന്ന വൃശ്ചികമാസത്തിലേ ഗവമ്മെണ്ടു അവതരിപ്പിക്കുന്നുള്ളുവെങ്കിൽ അതിനകം വരാവുന്ന കുഴപ്പങ്ങൾ തീർക്കാനാണു് ഒരു വിളംബരം വേണമെന്നു പറയുന്നതു്. ഈ ബിൽ ഇന്നു പാസ്സാക്കുകയാണെങ്കിൽ ഫ ഫ ര് കുംഭം മുതൽ ഫ ഫ ര മീനംവരെയുള്ള കുഴപ്പങ്ങൾ തീർത്താൽ മതി. അന്യായമായി ഒഴിപ്പിക്കുന്ന കുടിയാന്മാർക്കു് വസ്തുക്കൾ തിരിയെ

*Speech not corrected by the hon'ble member.

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